

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA~~FILED UNDER SEAL~~

UNITED STATES OF AMERICA,

INDICTMENT

CR 12-49 RHK/LIB

Plaintiff,

v.

1. ANTONIO CHAVEZ AGUIRRE, JR.,

2. DAVID MICHAEL COOK,

3. TRISHA NICOLE CULLEN,

4. DAVID RICHARD DEKING and

5. SHAD DANIEL O'NEIL,

Defendants.

(18 U.S.C. § 922(g)(1))

(18 U.S.C. § 924(a)(2))

(18 U.S.C. § 924(d)(1))

(21 U.S.C. § 841(a)(1))

(21 U.S.C. § 841(b)(1)(A))

(21 U.S.C. § 841(b)(1)(B))

(21 U.S.C. § 841(b)(1)(C))

(21 U.S.C. § 846)

(21 U.S.C. § 853)

(28 U.S.C. § 2461(c))

THE UNITED STATES GRAND JURY CHARGES THAT:

COUNT 1

(Conspiracy to Distribute Methamphetamine)

Beginning in or about the Spring of 2011 and continuing through on or about January 26, 2012, in the State and District of Minnesota and elsewhere, the defendants,

ANTONIO CHAVEZ AGUIRRE, JR.,
DAVID MICHAEL COOK,
TRISHA NICOLE CULLEN,
DAVID RICHARD DEKING and
SHAD DANIEL O'NEIL,

did unlawfully, knowingly and intentionally conspire with each other and with others, known and unknown to the grand jury, to distribute 500 grams or more of a mixture and substance containing a detectable amount of methamphetamine, a controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1),

SCANNED

FEB 17 2012

U.S. DISTRICT COURT ST. PAUL

FILED FEB 14 2012

RICHARD D. SLETTEN

JUDGMENT ENTD

DEPUTY CLERK

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COUNT 2

(Possession With Intent to Distribute Methamphetamine)

On or about August 23, 2011, in the State and District of Minnesota, the defendant,

SHAD DANIEL O'NEIL,

did unlawfully, knowingly and intentionally possess with intent to distribute a mixture and substance containing a detectable amount of methamphetamine, a controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT 3

(Possession With Intent to Distribute Methamphetamine)

On or about November 4, 2011, in the State and District of Minnesota, the defendant,

DAVID MICHAEL COOK,

did unlawfully, knowingly and intentionally possess with intent to distribute 50 grams or more of a mixture and substance containing a detectable amount of methamphetamine, a controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).

COUNT 4

(Felon in Possession of Firearms)

On or about November 8, 2011, in the State and District of Minnesota, the defendant,

SHAD DANIEL O'NEIL,

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having previously been convicted of crimes punishable by imprisonment for a term exceeding one year, that is,

Crime Committed	Place of Conviction	Date of Conviction (On or About)
Sale of Marijuana (5 th Degree)	Saint Louis County, Minnesota	October 25, 1996
Burglary (1 st Degree)	Saint Louis County, Minnesota	November 5, 1997
Issuance of Dishonored Checks	Saint Louis County, Minnesota	April 18, 2001
Conspiracy to Offer Forged Checks	Saint Louis County, Minnesota	April 18, 2001
Controlled Substance Offense (2 nd Degree)	Pine County, Minnesota	October 1, 2003
Controlled Substance Offense (5 th Degree)	Itasca County, Minnesota	August 3, 2009

did knowingly and unlawfully possess, in and affecting interstate commerce, firearms, that is, a Reck, Model R12, .22LR caliber revolver, serial number 125697, and a Springfield XD ACP, .45 caliber handgun, serial number US636272, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT 5

(Possession With Intent to Distribute Methamphetamine)

On or about November 17, 2011, in the State and District of Minnesota, the defendant,

TRISHA NICOLE CULLEN,

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did unlawfully, knowingly and intentionally possess with intent to distribute a mixture and substance containing a detectable amount of methamphetamine, a controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT 6

(Possession With Intent to Distribute Methamphetamine)

On or about January 3, 2012, in the State and District of Minnesota, the defendant,

DAVID RICHARD DEKING,

did unlawfully, knowingly and intentionally possess with intent to distribute 50 grams or more of a mixture and substance containing a detectable amount of methamphetamine, a controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).

COUNT 7

(Possession With Intent to Distribute Methamphetamine)

On or about January 26, 2012, in the State and District of Minnesota, the defendant,

ANTONIO CHAVEZ AGUIRRE, JR.,

did unlawfully, knowingly and intentionally possess with intent to distribute 50 grams or more of a mixture and substance containing a detectable amount of methamphetamine, a controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).

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FORFEITURE ALLEGATION AS TO COUNTS 1, 2, 3, 5, 6 AND 7

If convicted of any of Counts 1, 2 3, 5, 6 or 7 of this indictment, the defendants,

ANTONIO CHAVEZ AGUIRRE, JR.,
DAVID MICHAEL COOK,
TRISHA NICOLE CULLEN,
DAVID RICHARD DEKING, and
SHAD DANIEL O'NEIL,

shall forfeit to the United States any property constituting, or derived from, any proceeds they obtained, directly or indirectly, as the result of each such violation; any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of each such violation; and any substitute for such property under Title 21, United States Code, Section 853(p); all pursuant to Title 21, United States Code, Section 853.

FORFEITURE ALLEGATION AS TO COUNT 4

If convicted of Count 4 of this indictment, the defendant,

SHAD DANIEL O'NEIL,

shall forfeit to the United States any firearms, accessories and ammunition involved in or used in connection with such violation including, but not limited to, a Liberty Arms, .22 caliber revolver, serial number 125697, and a Springfield XD ACP, .45 caliber handgun, serial number US636272, pursuant to Title 18,

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United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c).

A TRUE BILL

UNITED STATES ATTORNEY

FOREPERSON